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for Congress

March 21, 2001

Ms. Alva Smith
Office of the General Counsel
Federal Elections Commission
999 E. Street, NW-6th Floor
Washington, D.C. 20463

RE: MUR 5178—Byrum for Congress

Dear Ms. Smith:

This is the response on behalf of Byrum for Congress and Hilda Patrician Curran, Treasurer ("Respondents"), to the complaint filed by Gerald Hills and the Michigan Republican State Committee alleging violations of the Federal Election Campaign Act ("FECA") of 1971, as amended, 2 U.S.C. sec. 431 et seq. As this response will show, the complaint has no merit and should be dismissed.

The complainant alleges that the DCCC and the Michigan Democratic State Central Committee ("MDSCC") made coordinated expenditures on behalf of Dianne Byrum's congressional committee, Byrum for Congress, that exceeded federal limits. Combined, the DCCC and MDSCC were entitled to spend a total of \$67,560 in coordinated expenditures on behalf of Byrum for Congress. 2 U.S.C. sec 441 a(d); FEC *Record* (March 2000).

It is the Respondent's understanding that the DCCC reported \$65,871 as coordinated party expenditures for Byrum for Congress. This figure did not exceed the \$67,560 and is thus clearly within the legal limits.

Complainant points to two \$45,000 expenditures totaling \$90,000 reported by MDSCC as coordinated party expenditures for Byrum for Congress. Accordingly, Complainant concludes that the MDSCC, DCCC and Byrum for Congress exceeded the limit of \$67,560.

Respondents understand that on March 2, 2001, the MDSCC filed an amended report indicating that the two \$45,000 expenditures reported on behalf of Dianne Byrum were in fact payments for advertising expenditures for the campaign of Debbie Stabenow for United States Senate. The amended reports now accurately reflect the coordinated expenditures on behalf of both campaigns.



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Respondents were not responsible for filing the MDSCC's post-election report and were not aware of its contents. Respondents did not benefit in any way from the expenditures on behalf of Debbie Stabenow for United States Senate and had no way of knowing that the MDSCC report contained a reporting error at the time it was filed. The MDSCC's amended report should put to rest any alleged violation of coordinated expenditure limits with respect to this MUR.

The evidence simply does not support any inference of wrongdoing on the part of the Respondents. Accordingly, the FEC should dismiss this matter as it pertains to the Respondents.

Sincerely,

A handwritten signature in cursive script, appearing to read "Hilda Patricia Curran".

Hilda Patricia Curran
Treasurer,
Byrum for Congress